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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/751,050      | 12/29/2000  | Pablo M. Rodriguez   | 42390P8929          | 8976             |

7590

03/24/2004

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EXAMINER

LE, DIEU MINH T

ART UNIT

PAPER NUMBER

2114

DATE MAILED: 03/24/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/751,050

Applicant(s)

RODRIGUEZ, PABLO M.

Examiner

Dieu-Minh Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-8 and 10-30 is/are pending in the application.
- 4a) Of the above claim(s) 23-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,11,12,18-22 and 28-30 is/are rejected.
- 7) ☒ Claim(s) 10 and 13-17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### DETAILED ACTION

1. This Office Action is in response to the amendment filed January 26, 2004 in application 09/751,050.

2. Claims 1, 3-8, 10-22, and 28-30 are again presented for examination; claims 2, 9 have been canceled and claims 23-27 have been withdrawn.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1, 3-8, 11-12, 18-22, and 28-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable Ilkbahar (US Patent 6,433,600) in view of Kurd et al. (US Patent 6,505,262 hereafter referred to as Kurd).

This rejection is being applied for the same reasons set forth in the previous Office Action paper number 2, paragraphs 3-4 mailed December 12, 2003.

As per claims 1, 3-8, 11-12, 18-22, and 28-30, see the previous office action for the teaching of Ilkbahar and Kurd as well as the reasons and motivation for combined.

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Applicant asserts that Ilkbahar in combining with Kurd failed to teach or suggest the following:

A. It is not logical to take the glitch protection disclosed by Ilkbahar and to add to it the aspect of Kurd that the error should be signaled.

B. The word "retry" is not even used in either references.

Examiner respectfully transverses Applicant's arguments as following:

A. First, Examiner would like to bring Applicant's attention to Ilkbahar's method and apparatus for glitch protection for input buffers in a source-synchronous environment including processor bus including the *glitch protection circuit and a detection circuits used to protect and detect signals corresponding to bus agent [col. 2, lines 42-51] and externally connectivity to and from bus agent in supporting the computer system with higher performance bus architecture in synchronous manner [col. 3, lines 28-43] capabilities*. In addition Kurd's processing system having a glitch protection and detection for strobed data [abstract, col. 1, lines 5-7] explicitly *illustrated the method of capturing data from a communication bus [col. 7, line 35] having plurality of strobe signaling and*

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*its transition occurring due to disabling (i.e., error occurrences) [col. 7, lines 45-50] and detecting strobe glitches used in responding to error signal identifying a strobe glitch [col. 7, lines 59-67] capabilities.* It is clearly shown that the combination of Ilkbahar and Kurd to teach Applicant invention. This is because 1) they both deal with error detection, correction, and recovery in communication bus environment; 2) they used the enhance scheme for detecting and correcting glitches that caused erroneous capture of strobed data in a computer system; and 3) they both disclosed the improvement data signal transmission via computer system bus environment.

Second, as indicated in previous Office Action that, Examiner has shown that:

**Ilkbahar does not explicitly teach:**

**- bus control logic to produce an external visible indication of errors occurred.**

However, Applicant explicitly "deleted" this limitation as **"produce an external visible indication of errors occurred"** in the amended claim 1. Then it is now mooted.

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B. First, Examiner would like re-emphasize Applicant to the meaning of the word "retry" rather than its terminology. Both references may not use the word "**retry**" therein; however, it means for **re-processing, re-detecting, re-correcting, and re-recovering**, etc... within both references as well as to Applicant's invention.

Second, Ilkbahar explicitly disclosed:

- first latching, second latching, and comparison process used for error detection, correction, and recovery [col. 8, lines 26-52].

In addition, Kurd also demonstrated:

- plurality of glitch protection cell detection [col. 4, lines 36-38];
- double transition detectors [col. 4, lines 39-40];
- incrementing counter used for multiple detection of glitches [col. 4, lines 60-67];
- reading first number, second number, and generating error signal identifying a strobe glitch [col. 8, lines 1-10].

Therefore, it would have been obvious to an ordinary skill in the art to realize the Ilkbanhar and Kurd's capabilities as

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the word "**retry**" as claimed by Applicant. This is because both Ilkbanhar and Kurd do perform the "retry" or to **re-processing, re-detecting, re-correcting, and re-recovering**, etc... in order to enhancing the computer processing data, more specifically, in the source synchronous bus environment.

5. Claims 10, 13-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dieu-Minh Le whose telephone number is (703) 305-9408. The examiner can

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normally be reached on Monday-Thursday from 6:30 AM to 4:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel, can be reached on (703)305-9713. The fax phone number for this Group is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

**Any response to this final action should be mailed to:**

**Box AF**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 746-7238, (for formal communications; please mark "EXPEDITED PROCEDURE")

**Or:**

(703) 746-7240 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).



**DIEU-MINH THAI LE  
PRIMARY EXAMINER  
ART UNIT 2114**